



STATE OF NEVADA

Department of Conservation & Natural Resources

DIVISION OF ENVIRONMENTAL PROTECTION

Jim Gibbons, Governor

Leo M. Drozdoff, P.E., Acting Director

Colleen Cripps, Ph.D., Acting Administrator

December 10, 2010

Matt Paque
Tronox LLC
PO BOX 268859
Oklahoma City, OK 73134

Re: **Tronox LLC (TRX)**
NDEP Facility ID #H-000539
Nevada Division of Environmental Protection (NDEP) Response to:
Northgate letter RE: Nevada Division of Environmental Protection Revised Response
date December 1, 2010 to: Revised Excavation Plan for Phase B Soil Remediation of RZ-
C, Addendum to the Removal Action Work Plan, Tronox LLC, Henderson, Nevada
Dated: December 8, 2010

Dear Mr. Paque,

The NDEP has received TRX's above-referenced document and has reviewed TRX's request for NDEP to reconsider the decision revising NDEP's original conditional approval of the RZ-C Excavation Plan, thereby allowing TRX to proceed with soil flushing in the excavation areas that exhibit perchlorate as the only contaminant in excess of the Basic Contaminant Levels (BCLs). However, the rationale NDEP used for the decision for requiring excavation of these areas (as listed in NDEP's December 1, 2010 letter) not sufficiently addressed or refuted in above-referenced document; therefore, NDEP's decision in the December 1, 2010 letter is still valid. TRX should proceed with excavation in order to comply with the December 31, 2010 deadline for source control in the December 2009 Finding of Alleged Violation (FOAV) and Order.

Additionally, as excavation is only required up to 10 feet below ground surface even though several of these areas exhibit elevated perchlorate concentrations at deeper elevations, TRX should proceed with the pilot study for soil flushing. Please contact the undersigned with any questions at sharbour@ndep.nv.gov or 775-687-9332.

Sincerely,

Shannon Harbour, P.E.
Staff Engineer III
Bureau of Corrective Actions
Special Projects Branch
NDEP-Carson City Office
Fax: 775-687-8335

SH:gl:sh

EC: Jim Najima, Bureau of Corrective Actions, NDEP
Greg Lovato, Bureau of Corrective Actions, NDEP
William Knight, Bureau of Corrective Actions, NDEP
Carolyn Tanner, AG's Office
Bill Frey, AG's Office
Brenda Pohlmann, City of Henderson
Stephen Tyahla, U.S. Environmental Protection Agency, Region 9
Jay A. Steinberg, Tronox Henderson Trust
Allan Delorme, ENVIRON
Mark Travers, ENVIRON
Mike Skromyda, Tronox LLC
Michael J. Foster, Tronox LLC
Keith Bailey, Environmental Answers LLC
Susan Crowley, Tronox LLC (Contractor)
Deni Chambers, Northgate Environmental
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Brian Rakvica, McGinley and Associates
Joe McGinley, McGinley & Associates
Barry Conaty, Holland & Hart LLP
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Rick Kellogg, BRC
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Mark Paris, Landwell
Craig Wilkinson, TIMET
Kirk Stowers, Broadbent & Associates
Victoria Tyson, Tyson Contracting
George Crouse, Syngenta Crop Protection, Inc.
Nick Pogoncheff, PES Environmental
Lee Erickson, Stauffer Management Company
Michael Bellotti, Olin Corporation
Curt Richards, Olin Corporation
Paul Sundberg, Montrose Chemical Corporation
Joe Kelly, Montrose Chemical Corporation of CA
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Larry Cummings, AMPAC
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